

FILED

MAY 19 2016

**STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO**

1 **LEWIS BRISBOIS BISGAARD & SMITH LLP**
PETER GARCHIE, SB# 105122
2 BRIAN SLOME, SB# 238134
JESSICA LIENAU BECKWITH, SB# 269753
3 E-Mail: Jessica.Beckwith@lewisbrisbois.com
633 West 5th Street, Suite 4000
4 Los Angeles, California 90071
Telephone: 213.250.1800/Facsimile: 213.680-5100

5 Attorneys for Respondent Stuart Jay Furman
6
7
8

9 **STATE BAR COURT**

10 **HEARING DEPARTMENT – SAN FRANCISCO**

11 In the Matter of:
12 **STUART JAY FURMAN,**
13 No.98981,

**CASE NOS. 14-O-04029 & 14-O-06411-
PEM**
[Assigned to Judge Patrice E. McElroy]

ANSWER

14 A Member of the State Bar
15

16 **TO THE OFFICE OF CHIEF TRIAL COUNSEL OF THE STATE BAR OF**
17 **CALIFORNIA AND TO ITS SENIOR TRIAL COUNSEL OF RECORD:**

18 Respondent Stuart Jay Furman (“Furman” or “Respondent”) responds to the Notice of
19 Disciplinary Charges (“NDC”) on file herein as follows:

20 1. The address to which all further notices to Respondent Furman in relation to these
21 proceedings may be sent is as follows: Lewis Brisbois Bisgaard & Smith LLP, Peter Garchie,
22 Brian Slome, Jessica Beckwith, 633 West 5th Street, Suite 4000, Los Angeles, CA 90071, (213)
23 680-5100.

24 **JURISDICTION**

25 2. Furman lacks sufficient information or belief to enable it to admit or deny the
26 allegations contained in paragraph 1 of the NDC and, on that basis, denies each and every
27 allegation contained in that paragraph.

28 ///



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT SEVEN

Case Nos. 14-O-04029 and 14-O-06411
Rules of Professional Conduct, rule 3-310(B)(3)
[Conflict – Relationship with an Interested Person or Entity]

10. Furman denies each and every allegation contained in paragraph 9 of the NDC.

COUNT EIGHT

Case Nos. 14-O-04029 and 14-O-06411
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

11. Furman admits that on or about October 30, 2013, Lewis Grauss employed respondent to advise him, among other things, regarding Grauss' eligibility for Veteran Affairs Benefits as alleged in paragraph 10 of the NDC. Furman denies each and every other allegation contained in paragraph 10 of the NDC.

COUNT NINE

Case Nos. 14-O-04029 and 14-O-06411
Business and Professions Code, section 6068(m)
[Failure to Inform Client of Significant Developments]

12. Furman denies each and every allegation contained in paragraph 11 of the NDC.

13. Respondent reserves the right to present additional positions in response to assertions and allegations which may be made by the Office of the Chief Trial Counsel.

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Cause of Action)

1. The NDC does not state facts sufficient to constitute a disciplinary offense(s).

DATED: May 19, 2016

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: 

Jessica Lienau Beckwith
Brian Slome
Attorneys for Respondent Stuart Jay Furman

1 **PROOF OF SERVICE**

2 *In the Matter of Stuart Jay Furman- CASE NOS. 14-O-04029 & 14-O-06411-PEM*

3 File No. 38415-2

4 STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

5 At the time of service, I was over 18 years of age and not a party to the action. My
6 business address is 333 Bush Street, Suite 1100, San Francisco, California 94104

7 On May 19, 2016, I served the following document(s):

8 **ANSWER**

9 I served the documents on the following persons at the following addresses (including fax
numbers and e-mail addresses, if applicable):

10 State Bar of California	Russell Samuel Roeca
11 Office of Chief Trial Counsel	Roeca Haas Hager LLP
12 Esther J. Rogers, Senior Trial Counsel	250 Montgomery Street,
180 Howard Street	Suite 1410
San Francisco, CA 94105-1639	San Francisco, CA 94104
	<i>Counsel for Respondent Shafer</i>

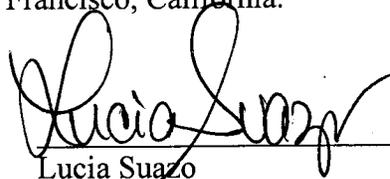
14 The documents were served by the following means:

15 (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package
16 addressed to the persons at the addresses listed above and:

17 Placed the envelope or package for collection and mailing, following our ordinary
18 business practices. I am readily familiar with the firm's practice for collection and processing
19 correspondence for mailing. Under that practice, on the same day that correspondence is placed
20 for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal
Service, in a sealed envelope or package with the postage fully prepaid.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct.

23 Executed on May 19, 2016, at San Francisco, California.

24 
25 _____
26 Lucia Suazo